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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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8 UNITED STATES OF AMERICA, et al.,

Case No.17-cv-00134-VKD

9 Plaintiffs,

10 v.

11 HCA HEALTHCARE, INC., et al.,

ORDER STAYING CASE

12 Defendants.

Re: Dkt. Nos. 30, 31, 32

13 On February 13, 2019, the Court ordered that the complaints in this action be unsealed and
14 served upon defendants pursuant to Federal Rule of Civil Procedure 4. Dkt. No. 29. On February
15 19, 2019, plaintiff-relator Zuri Lazard’s counsel filed a motion to withdraw as her attorney, citing
16 a “breakdown of the attorney-client relationship” and requesting 90 days for Ms. Lazard to find
17 new counsel and to serve the defendants. Dkt. No. 30. Ms. Lazard’s counsel advises the Court
18 that neither the United States nor the State of California object to his motion to withdraw. Dkt.
19 No. 30-1 ¶ 11. On February 20, 2019, Ms. Lazard, on her own behalf, filed motions requesting a
20 hearing on her counsel’s motion to withdraw and for an “informative hearing.” Dkt. Nos. 31, 32.

21 A pro se relator may not prosecute a qui tam False Claims Act action on behalf of the
22 United States. *Stoner v. Santa Clara Cty. Office of Educ.*, 502 F.3d 1116, 1125–28 (9th Cir.
23 2007). Accordingly, the Court will not act on the motion to withdraw at this time, but instead
24 stays this action for 30 days to allow Ms. Lazard to identify new counsel. Ms. Lazard’s current
25 counsel may not withdraw until the Court orders otherwise. Civ. L.R. 11-5(a); Cal. R. Prof.
26 Conduct 1.16(c).

27 Ms. Lazard shall file a status report on or before **March 24, 2019** advising the Court on her
28 efforts to find new counsel. If she is unable to find substitute counsel, the Court will be required

1 to dismiss this action without prejudice to the United States and the State of California. *Stoner*,
2 502 F.3d at 1128.

3 Ms. Lazard's requests for hearings are denied at this time. She is further advised that she
4 may not communicate directly with the Court by filing submissions herself; instead, she should do
5 so through her attorney of record until the Court orders otherwise.

6 **IT IS SO ORDERED.**

7 Dated: February 22, 2019

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11 VIRGINIA K. DEMARCHI
12 United States Magistrate Judge

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